

Message Text

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PAGE 01 STATE 189046
ORIGIN CAB-05

INFO OCT-01 NEA-10 ISO-00 CIAE-00 COME-00 DODE-00
DOTE-00 EB-08 INR-10 NSAE-00 FAA-00 L-03 H-02
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DRAFTED BY CAB:JGREENE/EB/OA/AVP:JMROBERTS:PMA
APPROVED BY EB/OA/AVP:AJWHITE
NEA/INS:ATHIBAULT

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FM SECSTATE WASHDC
TO AMCONSUL CALCUTTA
INFO AMEMBASSY NEW DEHLI

UNCLAS STATE 189046

E.O. 11652: N/A

TAGS: EAIR, OGEN, IN, US

SUBJECT: FREE AIRLINE PASSAGE FOR MOTHER TERESA

REF: CALCUTTA 1155

1. THE CIVIL AERONAUTICS BOARD PROVIDED THE DEPARTMENT
THE FOLLOWING RESPONSE CONCERNING THEIR POLICY PERTAINING
TO FREE OR REDUCED RATE AIR TRANSPORTATION:

"UNDER THE PROVISIONS OF THE FEDERAL AVIATION ACT,
CARRIERS ARE PROHIBITED FROM FURNISHING FREE OR REDUCED-
RATE TRANSPORTATION EXCEPT IN ACCORDANCE WITH THEIR
TARIFFS, OTHER THAN TO CATEGORIES OF TRAFFIC SPECIFICALLY
NAMED IN SECTION 403(B) OF THE ACT. THE BOARD IS,
HOWEVER, PERMITTED TO AUTHORIZE ADDITIONAL FREE OR
REDUCED-RATE FOREIGN OR OVERSEAS AIR TRANSPORTATION
UPON RECEIPT OF AN APPLICATION FROM THE CARRIER THAT IS
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TO FURNISH THE TRANSPORTATION.

MANY OF THE REQUESTS WE RECEIVE TO PROVIDE FREE TRANS-
PORTATION ARE FOR MERITORIOUS PURPOSES, AND TO CHOOSE
AMONG THE NUMEROUS REQUESTS IS VERY DIFFICULT, PARTICULARLY
SINCE THE BOARD MUST HOLD ITS AUTHORIZATIONS TO A
MINIMUM, IN KEEPING WITH THE INTENT OF THE ACT. THE

BOARD IS CHARGED WITH THE DEVELOPMENT OF AN ECONOMICALLY SOUND AIR TRANSPORT SYSTEM IN CONFORMITY WITH LEGISLATION WHICH, AMONG OTHER THINGS, PREVENTS DISCRIMINATION IN THE PROVISION OF SERVICE TO THE PUBLIC. SINCE FREE AND REDUCED-RATE TRANSPORTATION IS INHERENTLY DISCRIMINATORY, THE ACT CLEARLY INTENDS THAT SUCH TRANSPORTATION BE LIMITED. IN FRAMING THE ACT, THE CONGRESS RECOGNIZED THAT AIR TRANSPORTATION IS NOT FREE AND THAT ITS COST, TO THE EXTENT NOT PAID BY THE USER, MUST ULTIMATELY BE PAID BY OTHER USERS IN HIGHER RATES AND FARES.

TO ENSURE THAT FREE AND REDUCED-RATE TRANSPORTATION IS KEPT TO A MINIMUM, THE BOARD GENERALLY APPROVES FREE REDUCED-RATE TRANSPORTATION ONLY WHEN A CARRIER SUBMITS A REQUEST TO PROVIDE SUCH TRANSPORTATION, AND THE CARRIER'S APPLICATION FOR THE TRANSPORTATION IS SUPPORTED BY AN AGENCY OF THE UNITED STATES GOVERNMENT AS BEING IN OUR PARAMOUNT NATIONAL INTEREST, OR WHEN THE CARRIER'S APPLICATION IS SUPPORTED BY A DIRECTIVE FROM A FOREIGN GOVERNMENT. A LESS RESTRICTIVE POLICY WOULD INEVITABLY RESULT IN AN EVER-INCREASING VOLUME OF FREE TRANSPORTATION TO THE DETRIMENT, ECONOMICALLY AND OTHERWISE, OF THE AIR TRANSPORT SYSTEM AS A WHOLE, AND THUS OF THE PUBLIC INTEREST."

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2. IF MR. KUMAR WISHES TO DISCUSS THIS MATTER FURTHER, MR. JAMES GREENE, CHIEF OF THE CAB'S TARIFFS SECTION (TELEPHONE 673-5402), IS PREPARED TO DO SO. EMBASSY AND CONSULATE MAY ALSO WISH TO REFER TO 10FAM521.8 FOR ADDITIONAL INFORMATION. CHRISTOPHER

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